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Attorneys for HOLLY SHIKADA, in her  
official capacity as Attorney General for the  
State of Hawai‘i

IN THE UNITED STATES DISTRICT COURT

FOR THE DISTRICT OF HAWAI‘I

NATIONAL ASSOCIATION FOR  
GUN RIGHTS; RONDELLE AYAU;  
JEFFREY BRYANT,

Plaintiffs,

v.

HOLLY SHIKADA, in her official  
capacity as Attorney General for the  
State of Hawai‘i,

Defendant.

CIVIL NO. 1:22-cv-00404-DKW-RT

STIPULATION AND ORDER

Chief Judge Derrick K. Watson

Magistrate Judge Rom A. Trader

**STIPULATION AND ORDER**

Plaintiffs NATIONAL ASSOCIATION FOR GUN RIGHTS; RONDELLE AYAU; and JEFFREY BRYANT (collectively, “Plaintiffs”), and Defendant HOLLY SHIKADA, in her official capacity as Attorney General for the State of Hawai‘i (“Defendant”), by and through the undersigned attorneys, hereby stipulate and agree as follows:

1. Whereas Plaintiffs filed a Motion for Preliminary Injunction (Dkt. No. 24) (the “Motion”) on November 18, 2022, and whereas that Motion is currently set for hearing before this Court on January 27, 2023 at 10:00 a.m., with briefing on the motion in accordance with Local Rule 7.2, the parties now stipulate to and propose the following briefing schedule with respect to that Motion:

Opposition Due: February 15, 2023 (from January 6, 2023)

Reply Due: March 17, 2023 (from January 13, 2023)

With a hearing date to follow on or after March 31, 2023, on a date convenient to the Court (from January 27, 2023).

2. Plaintiffs and Defendant hereby stipulate that for the purpose of defending the constitutionality of HRS §§ 134-1, 134-4, and 134-8 from the legal challenges under the Second and Fourteenth Amendments to the U.S. Constitution set forth in Plaintiffs’ First Amended Complaint (Dkt. 21), the

Attorney General waives her sovereign immunity and Eleventh Amendment immunity and consents to be sued in this Court in only this case, in only her official capacity, and only for the particular prospective declaratory and injunctive relief sought in Plaintiffs' operative complaint in this case. The Attorney General does not waive, and expressly reserves the right to assert, any other sovereign immunity or Eleventh Amendment arguments or defenses she has or may have regarding any other issue, law, or other matter, including but not limited to the assertion of any damages claim in this case.

3. This is the first stipulation filed in the instant case.

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DATED: Wheat Ridge, Colorado, December 1, 2022.

/s/ Barry K. Arrington

BARRY K. ARRINGTON

Attorney for Plaintiffs NATIONAL  
ASSOCIATION FOR GUN RIGHTS;  
RONDELLE AYAU; JEFFREY BRYANT

DATED: Honolulu, Hawai‘i, December 1, 2022.

/s/ John H. Price

JOHN H. PRICE

Attorney for Defendant HOLLY T.  
SHIKADA, in her official capacity as  
Attorney General of Hawai‘i

APPROVED AND SO ORDERED.

DATED: December 2, 2022 at Honolulu, Hawai‘i.



/s/ Derrick K. Watson

Derrick K. Watson  
Chief United States District Judge

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***NAGR et al. v. Shikada*; Civil No. 1:22-cv-00404-DKW-RT; United States  
District Court for the District of Hawai‘i; Stipulation and Order**